



Memphis City Council Summary Sheet Instructions

Resolution for Public Works Trenchless Rehabilitation of Stormwater Structures

- This resolution is for trenchless rehabilitation of stormwater structures. This is ongoing Storm Water CIP project and transfers allocations from the Major Drainage Rehab/Replace cover line, ST03098, to the Trenchless Rehabilitation of Stormwater Structures, ST03114.
- This is part of Public Works ongoing effort to maintain and rehabilitate the City drainage infrastructure utilizing trenchless rehabilitation technology.
- This has no impact to any current ordinance or resolution.
- This resolution amends an existing City contract. This amendment would extend the terms of the contract for an additional year as permitted under the terms of the agreement.
- This resolution will transfer allocations from Major Drainage Rehab/Replace cover line, ST03098 to Trenchless Rehabilitation of Stormwater Structures, ST03114 in the amount of \$2,500,000 in Contract Construction.

RESOLUTION

WHEREAS, the Council of the City of Memphis approved Major Drainage Rehab/Replace, project number ST03098, as part of the Public Works Fiscal Year 2013 Capital Improvement Budget; and

WHEREAS, in Fiscal Year 2009, the Public Works Division accepted bids for Trenchless Rehab FY09 submitted by Moore Construction Company, Inc. with the option of extending the contract; and

WHEREAS, it is in the best interest of the City to extend the Moore Construction Company, Inc. contract in the Fiscal Year 2013 Capital Improvement Budget; and

WHEREAS, it is necessary to transfer an allocation of \$2,500,000.00 funded by GO Bonds - General (Storm Water) from Major Drainage Rehab/Replace, project number ST03098, to Trenchless Rehab FY09, project number ST03114, for the rehabilitation of stormwater structures; and

WHEREAS, it is necessary to appropriate \$2,500,000.00 funded by GO Bonds – General (Storm Water) in Trenchless Rehab FY09, project number ST03114, for the rehabilitation of stormwater structures as follows:

Contract Amount	\$2,500,000.00
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NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2013 Capital Improvement Budget be and is hereby amended by transferring an allocation of \$2,500,000.00 funded by GO Bonds – General (Storm Water) from Major Drainage Rehab/Replace, project number ST03098, to Trenchless Rehab FY09, project number ST03114, for the rehabilitation of stormwater structures.

BE IT FURTHER RESOLVED, that there be and is here by appropriated the sum of \$2,500,000.00 funded by GO Bonds-General (Storm Water) chargeable to the Fiscal Year 2013 Capital Improvement Budget and credited as follows:

Project Title	Trenchless Rehab FY09
Project Number	ST03114
Amount	\$2,500,000.00



**Memphis City Council
Summary Sheet
MEPPI Public Infrastructure Assistance**

1. This project is to accept \$1,000,000 from Shelby County's CIP Budget for public infrastructure assistance funds to Mitsubishi Electric Power Products, Inc (MEPPI) for use in connection with its new manufacturing facility.
2. This item is being submitted by Public Works (Environmental Engineering)
3. This item does not change an existing ordinance or resolution.
4. This item will require a new contract.
5. This item does not require an expenditure of funds.

RESOLUTION

WHEREAS, the Administration is requesting that the Council of the City of Memphis modify the FY2013 Capital Improvement Budget by creating a new project, MEPPI Public Infrastructure, project number SW02103; and

WHEREAS, Shelby County approved a resolution appropriating and authorizing a transfer of funds in the amount of \$1,000,000.00 to the City of Memphis to provide public infrastructure improvements to support the development of a manufacturing facility to be constructed by Mitsubishi Electric Power Products Inc(MEPPI); and

WHEREAS, it is necessary for the City of Memphis to accept this Local Shared Revenue in the amount of \$1,000,000.00 from Shelby County, which will be used to support the development of a manufacturing facility to be constructed by Mitsubishi Electric Power Products, Inc; and

WHEREAS, it is necessary to amend the FY2013 Capital Improvement Budget by establishing an allocation in the amount of \$1,000,000.00 funded by Local Shared Revenue for MEPPI Public Infrastructure, project number SW02103; and

WHEREAS, it is necessary to appropriate \$1,000,000.00 funded by Local Shared Revenue for MEPPI Public Infrastructure, project number SW02103.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Fiscal Year 2013 Capital Improvement Budget be and is hereby by modified by creating MEPPI Public Infrastructure, project number SW02103.

BE IT FURTHER RESOLVED, that the City of Memphis is hereby accepting \$1,000,000.00 in Local Shared Revenue from Shelby County to support the development of a manufacturing facility to be constructed by MEPPI.

BE IT FURTHER RESOLVED, that the Fiscal Year 2013 Capital Improvement Budget be and is hereby amended by establishing an allocation in the amount \$1,000,000.00 funded by Local Shared Revenue for MEPPI Public Infrastructure, project number SW02103.

BE IT FURTHER RESOLVED, that the Fiscal Year 2013 Capital Improvement Budget be and is hereby amended by appropriating \$1,000,000.00 funded by Local Shared Revenue for MEPPI Public Infrastructure, project number SW02103.



Memphis City Council Summary Sheet

Resolution expressing support of accepting and appropriating grant funds from the Tennessee Department of Transportation to establish funds for the CMAQ Bike Route Program.

1. This item is a resolution in support of accepting and appropriating grant funds from the Tennessee Department of Transportation for the CMAQ Bike Route program funded by the Congestion Mitigation and Air Quality (CMAQ) grant fund. This grant is for the development of new bicycle facilities along city streets, bridging gaps in the existing bicycle infrastructure network.
2. This item is being submitted by the Division of Engineering (Traffic Engineering).
3. This item does not change an existing ordinance or resolution.
4. This resolution requires a new contract with the Tennessee Department of Transportation.
5. This resolution requires an allocation and appropriation of miscellaneous grant funds to amend the FY13 Capital Improvement Budget. This item is 100% federally funded – no local match is required. Expenses will be reimbursed as spent.

RESOLUTION

WHEREAS, the City of Memphis Division of Engineering has received grant funds in the amount of One Million Four Hundred Thousand Dollars (\$1,400,000) from the Tennessee Department of Transportation; and

WHEREAS, these funds will be used to construct new bicycle facilities along city streets; and

WHEREAS, it is necessary to accept the grant funding and amend the Fiscal Year 2013 Capital Improvement Budget to establish funds for the Congestion Mitigation and Air Quality (CMAQ) grant; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of One Million Four Hundred Thousand Dollars (\$1,400,000.00) for the Congestion Mitigation and Air Quality grant.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Congestion Mitigation and Air Quality grant funds in the amount of One Million Four Hundred Thousand Dollars (\$1,400,000) be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2013 Capital Improvement Budget be and is hereby amended by appropriating the Expenditures and Revenues for the Congestion Mitigation and Air Quality grant in the amount of One Million Four Hundred Thousand Dollard (\$1,400,000.00) as follows:

Revenue

TDOT	\$1,400,000.00
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Expense

Contract Construction	<u>\$1,400,000.00</u>
TOTAL	\$1,400,000.00



Memphis City Council Summary Sheet

1. A Resolution requesting Council approval to amend FY 2013 Capital Improvement Program (CIP) budget, to amend, accept and appropriate funds from the National Recreation and Parks Association (NRPA) 'Sprite Spark Parks Grant', for improvements to Jesse Turner Park basketball court.
2. Initiating party - The Division of Parks & Neighborhoods
3. There is No change to any existing ordinance or resolution.
4. State whether this requires a new contract, or amends an existing contract, if applicable.
The NRPA Sprite Spark Parks Grant requires the parties to execute a Memorandum of Understanding, which requires that the City (grant recipient) refurbish and make improvements to the Jesse Turner Park basketball court, with completion by December 31, 2012.
5. State whether this requires an expenditure of funds/requires a budget amendment.
Yes. Request budget amendment and approval to accept and appropriate funds of \$10,000.00, as received from NRPA for the Sprite Spark Parks Grant. Matching funds are not required.

RESOLUTION

WHEREAS, the City of Memphis Division of Parks & Neighborhoods has been notified of a grant award in the amount of \$10,000.00 from the National Recreation and Parks Association (NRPA) via the Sprite Spark Parks Grant; and

WHEREAS, these funds will be used to refurbish and make improvements to the basketball court and surrounding area at Jesse Turner Park in Memphis, Tennessee, and requires no matching funds; and

WHEREAS, it is necessary to accept the grant funding of \$10,000.00 and amend the Fiscal Year 2013 Capital Improvement Program Budget to establish available funding as provided by the NRPA Sprite Spark Parks Grant; and

WHEREAS, it is necessary to appropriate the grant funds in the amount of \$10,000.00 for the purpose of making improvements to Jesse Turner Park's basketball court as authorized by NRPA Sprite Spark Parks Grant, by December 31, 2012.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the National Recreation and Parks Association Sprite Spark Parks Grant funds in the amount of \$10,000.00 be accepted by the City of Memphis.

BE IT FURTHER RESOLVED, that the Fiscal Year 2013 Capital Improvement Program Budget be and is hereby amended by receiving and appropriating the expenditures of the NRPA Sprite Spark Parks Grant in the amount of \$10,000.00, as follows:

Project Title:	Rec./Aquatic Facilities Major Maintenance
CIP Project Number:	PK01024
TOTAL	\$10,000.00

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND TITLE 11 – VEHICLES AND TRAFFIC, CHAPTER 11-28, SECTION 11-28-3, OF THE CODE OF ORDINANCES
(RIGHT-OF-WAY IN CROSSWALKS)**

WHEREAS, it is in the best interest of the City of Memphis to encourage and promote the safety of pedestrians within the boundaries of our City; and

WHEREAS, prioritizing pedestrian traffic over motor vehicle traffic in zones dedicated to pedestrian movement (i.e. marked crossways without traffic signals) is a vital condition for safe walking and an increasing number of states are clarifying their pedestrian rights and motor vehicle laws by mandating stops as crosswalks with pedestrians.

NOW, THEREFORE,

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS,

That Title 11 – Vehicles and Traffic, Chapter 11 – 28, Section 11-28-3 of the Code of Ordinances, is hereby amended to read as follows:

Sec. 11-28-3 - Right-of-way in crosswalks.

- A. When traffic signals are not in place or not in operation, the driver of the vehicle shall slow down and come to a complete stop when a pedestrian is crossing the roadway at any point within a marked crosswalk.
- B. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle, which is so close that it is impossible for the driver to slow down and come to a complete stop.

SECTION 2. BE IT FURTHER ORDAINED, That the provisions of this Ordinance are hereby severable. If any of these sections, provisions, sentences, clauses, phrases or parts is held unconstitutional or void, the remainder of this Ordinance shall continue in full force and effect.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect from and after the date it shall have been passed by the City Council, signed by the Chairman of the Council, certified and delivered to the Office of the Mayor in writing by the Comptroller, and become effective as otherwise provided by law.

Lee Harris
Council Member

Bill Morrison
Chairman

Attest:
Patrice Thomas, Comptroller

Council Member

RESOLUTION

WHEREAS, the Council of the City of Memphis included Two Million Dollars (\$2,000,000) in its Fiscal Year 2013 Capital Improvement Project budget to fund blight remediation work on the Chisca;

WHEREAS, it is vital to the economic growth and development of the City of Memphis (the "City") that vacant and blighted buildings be redeveloped and placed back into service;

WHEREAS, the Chisca is one of the most visible vacant and blighted buildings in the City, sitting at the prominent corner of Dr. Martin Luther King Jr. Avenue and Main Street;

WHEREAS, the Chisca, built in 1913, is an historic building, where many historic events occurred including the broadcast of the legendary WHBQ radio show, "Red, Hot and Blue" with pioneering disk jockey Dewey Phillips, who first broadcast Elvis Presley's "That's All Right, Mama" from the Chisca and whose show inspired the Tony Award winning Broadway musical, "Memphis," which began its national touring production at the Orpheum Theatre across the street and one block north from the Chisca;

WHEREAS, the Chisca once served as the world headquarters for the Church of God in Christ (COGIC), which owns the Chisca today and has been trying for many years to find a developer willing and able to redevelop the Chisca;

WHEREAS, it is critical to the character of our City to save and reuse historic buildings such as the Chisca whenever possible;

WHEREAS, the Chisca is currently dilapidated, boarded up, and surrounded by a chain-link fence to protect the public from portions of the building that are at risk of falling;

WHEREAS, with the City Council's recent renaming of Linden Avenue to Dr. Martin Luther King Jr. Avenue, it is incumbent upon the City to remedy blight along Dr. Martin Luther King Jr. Avenue whenever possible;

WHEREAS, time is of the essence because with each passing year the Chisca further deteriorates and becomes more of a blight and more difficult to save and reuse;

WHEREAS, COGIC desires to sell the Chisca to a developer that will remedy the blighted condition of its former world headquarters;

WHEREAS, the cost of redeveloping the Chisca far exceeds the present value of the likely economic returns on such an investment, making a purely private redevelopment impracticable;

WHEREAS, the City has been working aggressively with COGIC, the Downtown Memphis Commission, and the private development community to form a public-private partnership to save and redevelop the Chisca;

WHEREAS, a group of civic-minded Memphians (the “Ownership Group”) has proposed to purchase the Chisca from COGIC and renovate it into a mixed-use facility, including multifamily residential, for a total estimated project cost of approximately Nineteen Million, Five Hundred Thousand Dollars (\$19,500,000);

WHEREAS, the redevelopment of the Chisca into a mixed-use facility, including multifamily residential, would remedy blight, create jobs, increase surrounding property values, save an important piece of Memphis history, revitalize a prominent corner in Downtown Memphis, provide needed housing in the core of the city, and help attract new citizens to Memphis;

WHEREAS, the Ownership Group proposes to invest approximately Seventeen Million Dollars (\$17,000,000) in private funds to pay for the acquisition and redevelopment of the Chisca;

WHEREAS, to make redevelopment of the Chisca possible, it is necessary for the City to appropriate the designated Two Million Dollars (\$2,000,000) from its Fiscal Year 2013 Capital Improvement Project budget to the Memphis Center City Development Corporation (“CCDC”), which is a 501(c)(3) community development corporation affiliated with the Downtown Memphis Commission;

WHEREAS, CCDC will use such city capital funds to pay for blight remediation work at the Chisca to allow for the private redevelopment of the Chisca;

WHEREAS, it is proposed that federal historic tax credits and additional public incentives from the Downtown Memphis Commission and its affiliated entities be used to fill the remaining financial gap to make the redevelopment of the Chisca possible;

WHEREAS, but for the incentives described above, it will not be economically feasible for the Ownership Group to acquire and renovate the Chisca;

WHEREAS, the Ownership Group has provided detailed and accurate financial information to the Downtown Memphis Commission sufficient to show that each of the local public incentives described above are required to make the project economically feasible;

WHEREAS, to ensure that the redevelopment of the Chisca is completed, the CCDC will hold the City’s \$2,000,000 until the Ownership Group has satisfied several conditions, including demonstration of complete project financing, execution of a general construction contract to complete the redevelopment of the Chisca, and receipt of construction performance bonds;

WHEREAS, upon satisfaction of these and other conditions imposed by CCDC, CCDC will use the City's \$2,000,000 to pay for completed blight remediation work at the Chisca on a monthly draw basis;

WHEREAS, the Ownership Group will be required to strictly comply with the Equal Business Opportunity Program to ensure equal and fair opportunity for inclusion of women and minority-owned businesses in all contracting opportunities associated with the redevelopment of the Chisca, with a minimum goal of no less than 20% inclusion of women and minority-owned businesses in all aspects of the redevelopment project including the privately funded portions;

WHEREAS, before spending any of the City's \$2,000,000 in blight remediation funds, CCDC will require an agreement from the Ownership Group that, upon the Ownership Group selling or refinancing the Chisca project, to the extent surplus return is generated or reflected above the minimum hurdle rate required to attract the necessary private capital to fund the redevelopment of the Chisca, the Ownership Group will pay back to CCDC, and CCDC will pay back to the City, up to \$2,000,000 out of 50% of such surplus return;

WHEREAS, if for any reason the blight remediation work does not commence within nine (9) months of this Resolution, then the CCDC will return the \$2,000,000 to the City;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that the Two Million Dollars (\$2,000,000) from the City's Fiscal Year 2013 Capital Improvement Project budget designated for the Chisca be and is hereby appropriated as a grant to the CCDC for the purpose of funding blight remediation work at the Chisca upon the terms and conditions contemplated by this Resolution and others required by the CCDC.

RESOLUTION

WHEREAS, it is vital to the economic growth and development of the City of Memphis (the “City”) that vacant and blighted buildings be redeveloped and placed back into service;

WHEREAS, the Chisca is one of the most visible vacant and blighted buildings in the City, sitting at the prominent corner of Dr. Martin Luther King Jr. Avenue and Main Street;

WHEREAS, the Chisca, built in 1913, is an historic building, where many historic events occurred including the broadcast of the legendary WHBQ radio show, “Red, Hot and Blue” with pioneering disk jockey Dewey Phillips, who first broadcast Elvis Presley’s “That’s All Right, Mama” from the Chisca and whose show inspired the Tony Award winning Broadway musical, “Memphis,” which began its national touring production at the Orpheum Theatre across the street and one block north from the Chisca;

WHEREAS, the Chisca once served as the world headquarters for the Church of God in Christ (COGIC), which owns the Chisca today and has been trying for many years to find a developer willing and able to redevelop the Chisca;

WHEREAS, it is critical to the character of our City to save and reuse historic buildings such as the Chisca whenever possible;

WHEREAS, the Chisca is currently dilapidated, boarded up, and surrounded by a chain-link fence to protect the public from portions of the building that are at risk of falling;

WHEREAS, with the City Council’s recent renaming of Linden Avenue to Dr. Martin Luther King Jr. Avenue, it is incumbent upon the City to remedy blight along Dr. Martin Luther King Jr. Avenue whenever possible;

WHEREAS, time is of the essence because with each passing year the Chisca further deteriorates and becomes more of a blight and more difficult to save and reuse;

WHEREAS, COGIC desires to sell the Chisca to a developer that will remedy the blighted condition of its former world headquarters;

WHEREAS, the cost of redeveloping the Chisca far exceeds the present value of the likely economic returns on such an investment, making a purely private redevelopment impracticable;

WHEREAS, the City has been working aggressively with COGIC, the Downtown Memphis Commission, and the private development community to form a public-private partnership to save and redevelop the Chisca;

WHEREAS, a group of civic-minded Memphians (the “Ownership Group”) has proposed to purchase the Chisca from COGIC and renovate it into a mixed-use facility, including

multifamily residential, for a total estimated project cost of approximately Nineteen Million, Five Hundred Thousand Dollars (\$19,500,000);

WHEREAS, the redevelopment of the Chisca into a mixed-use facility, including multifamily residential, would remedy blight, create jobs, increase surrounding property values, save an important piece of Memphis history, revitalize a prominent corner in Downtown Memphis, provide needed housing in the core of the city, and help attract new citizens to Memphis;

WHEREAS, the Ownership Group proposes to invest approximately Seventeen Million Dollars (\$17,000,000) in private funds to pay for the acquisition and redevelopment of the Chisca;

WHEREAS, it is proposed that public incentives from the City and the Downtown Memphis Commission and its affiliated entities be used to fill the financial gap to make the redevelopment of the Chisca possible;

WHEREAS, to make redevelopment of the Chisca possible, it is proposed that the Downtown Memphis Commission's affiliated entities, the Center City Revenue Finance Corporation ("CCRFC") and the Parking Authority of the City of Memphis and County of Shelby, Tennessee ("DPA"), acquire and renovate the parking structure adjacent to the Chisca (the "Chisca Garage") using the CCRFC's capital funds commonly known as the PILOT Extension Fund;

WHEREAS, the CCRFC's PILOT Extension Fund is generated by properties in Downtown Memphis and may only be used for garages or other public infrastructure in Downtown Memphis;

WHEREAS, no City money is being requested to fund the acquisition and renovation of the Chisca Garage;

WHEREAS, it is proposed that the CCRFC will loan the DPA One Million Dollars (\$1,000,000) from the PILOT Extension Fund (the "CCRFC Loan") for the purpose of acquiring and renovating the Chisca Garage;

WHEREAS, the approval of the Memphis City Council is required for the use of CCRFC's funds from the PILOT Extension Fund;

WHEREAS, but for the transaction described above, it will not be economically feasible for the Ownership Group to acquire and renovate the Chisca;

WHEREAS, the Ownership Group has provided detailed and accurate financial information to the Downtown Memphis Commission sufficient to show that each of the local public incentives contemplated are required to make the project economically feasible;

WHEREAS, the Ownership Group, the CCRFC, and the DPA will be required to strictly comply with the Equal Business Opportunity Program to ensure equal and fair opportunity for inclusion of women and minority-owned businesses in all contracting opportunities associated with the redevelopment of the Chisca, including the Chisca Garage, with a minimum goal of no less than 20% inclusion of women and minority-owned businesses in all aspects of the redevelopment project including the privately funded portions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Memphis that contingent upon the Ownership Group's purchase of the Chisca, CCRFC is hereby authorized to use One Million Dollars (\$1,000,000) from its PILOT Extension Fund as a loan to DPA to be used by DPA to acquire and undertake improvements to the Chisca Garage.